

[means for guiding the document produced from the dispensing device] a hood forming a
enclosure over the document feed path opening and opening into said means for providing
access.

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6. (amended) The protective device of claim 1, wherein said [means for guiding the dispensed document] hood includes:
an angled top portion to guide the documents from the document feed path of the dispensing device into said means for providing access.

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7. (amended) The protective device of claim 5 wherein said [means for guiding the dispensed document] hood includes:
a top portion; and
a groove extending towards the document feed path opening of the dispensing device to guide the [produced] dispensed document.

all.
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In claim 9, line 23, please delete "substantially".

B 3 > 11. (amended) A protective device for protecting a dispensing device having a document feed path opening for dispensing documents from environmental contamination, said protective device comprising:

a [dispenser] an enclosure extending over the document feed path opening of the dispensing device;

means for securing said [dispenser] enclosure adjacent the document feed path opening of a dispensing device to cover the document feed path opening; and

A 3
an access opening in said [dispenser] enclosure and extending [adjacent] away from the document feed path opening of the dispensing device.

12. (amended) The protective device of claim 11 wherein said means for securing said [dispenser] enclosure includes:

means for securing said protective device to the dispensing device cover assembly adjacent the document feed path opening of the dispensing device.

13. (amended) The protective device of claim 11 wherein said means for securing said [dispenser] enclosure includes:

said protective device is an integral portion of the cover assembly of the dispensing device.

14. (amended) The protective device of claim 11 wherein said means for securing said [dispenser] enclosure includes:

a separate enclosure which mounts over the dispensing device.

15. (amended) The protective device of claim 11 wherein said [dispenser] enclosure includes:

means on said enclosure for guiding a document from the document feed path opening of the dispensing device through said access opening.

16. (amended) The protective device of claim 15 wherein said means for guiding a dispensed document includes:

an angled top panel on said [dispenser] enclosure.

17. (amended) The protective device of claim 15 wherein said means for guiding a dispensed document includes:

at least one groove extending downward in a top panel on said [dispenser] enclosure.

Request for Reconsideration

Claims 1 – 20, as amended, are presently pending in the above-identified application. No new matter has been added.

Claims 1 – 20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant, in the above-identified application, is intending to claim the protective device separate from the dispensing device as the invention. The claims as amended now provide proper antecedent basis for the structure of the dispensing device

separately from the protective device. The term "substantially" has also been deleted from claim 9.

Claims 1,2,8,10,14,18 and 20 were rejected in the outstanding Office Action under 35 U.S.C. §102(b) as being anticipated by each of the patents to Frick (3,747,735), Hirano (JP 0,172,544) and Otsubo (JP 404,358,869). The Office Action stated:

Each of the patents to Frick and Otsubo teach a protective device having means for covering the document feed path opening of a printing device and means for providing access to the document that is fed from the printing device. For examples, Fig. 1 of Frick which shows a protective device 7 having means 8 covering a document feed path opening and means 11 which lets the document 12 to be fed out. Otsubo teaches a protective device 1a which cover the document feed path opening and means 7 for providing access to the document 5 which is just printed from a printing device as shown in Figs. 1-7 and 9 of Otsubo. Hirano teaches a protective device having means 58 which covers the document fed path opening and means 53 for the document 65 to be passed through as shown in Fig. 3,4 and 6 of Hirano. Thus the protective devices of Frick, Otsubo and Hirano meet the structure as broadly recited in claims 1,2,8,10,14,18 and 20.

The present invention, as claimed, is a protective device for protecting dispensing devices, such as printers, from environmental contamination, such as in kitchens, manufacturing plants, and the like. Claim 1, as amended to incorporate elements of claim 5, has the limitations of means for covering at least the document feed path opening of the dispensing device to minimize environmental contamination of the dispensing device; means for providing access to documents dispensed from the dispensing device and means for guiding printed documents dispensed from the dispensing device through said covering means and into said means for providing access.

Frick discloses a noise-reducing cover for printers, not a device for providing environmental protection for printers and other device. The noise-reducing cover of Frick includes a cover 5 having a lid 8 having a slot 11 for printed documents to pass through. The slot 11 extends over the document feed path opening of the printer. Thus the device of Frick does not disclose the limitations of covering the feed path opening of the printer to protect the opening from environmental contamination or for guiding documents through said covering means and into the access means. These are critical limitations of the present invention.

Otsubo provides a packing case 1 for transporting a printer. The packing case includes sound-proofing for use with the printer after transport. The case also includes a window for observing the state of printing. A dotted line 7 is displayed in one of the figures, but is not discussed in the English abstract. This dotted line 7 may represent a perforation for allowing

cable access to the printer. The Office Action stated that this dotted line 7 represents access to a document 5 being printed from the printer. There is no disclosure of means to guide the printed documents dispensed from the printer into this access opening. The documents must be initially hand fed through the opening. Also, this access is directly into the document feed path opening of the printer and does not protect the document feed path opening from environmental contamination. These are two critical limitations set forth in claim 1 of the present invention.

Hirano discloses a low noise flat head type printer. A cover 58 encompasses the upper portion of the printer. An access opening is formed by a clearance between the hinges of the cover. The access opening 53 is directly part of the document feed path and will allow environmental contamination to the document feed path. The device of Hirano does not disclose means for protecting the document feed path or for guiding documents dispensed from the printer through said means for protecting the document feed path opening into means for providing access to the documents. These are critical limitations of the claimed invention.

Claim 1 includes the limitations discussed above as not disclosed and thus not anticipated by the disclosures of Frick, Otsubo and Hirano. The applicant respectfully submits that claim 1 is allowable over the prior art.

Dependent claim 2 further limits claim 1 by adding a limitation that the protective device is a separate enclosure mounted over the dispensing device. The device of Hirano is clearly integrally formed as part of the printer.

Claims 8 and 10 depends from claim 1 and includes the limitations contained therein. Thus claims 8 and 10 are also considered allowable over the prior art.

Claims 14, 18 and 20 depend from independent claim 11. Claim 11 was not rejected as anticipated by Frick, Otsubo and Hirano. Since the elements of claim 11 are not anticipated by the prior art, and those elements are found in claims 14, 18 and 20 due to their dependency from claim 11, these claims by rule of law cannot be anticipated by the prior references. In the event that a typographical error omitted claim 11 from the rejection under 102(b), such a rejection is discussed below.

Claim 11, as amended to clarify the limitations cited therein, includes an enclosure extending over the document feed path opening of the dispensing device; means for securing the enclosure adjacent the document feed path opening of a dispensing device to cover the document feed path opening; and an access opening in the enclosure and extending away from the document feed path opening of the dispensing device. Frick, Otsubo and Hirano fail to provide both an enclosure extending over the document feed path opening to protect the document feed

path from environmental contamination and means to guide documents from the document feed path opening to an access opening located away from the document feed path opening. The access openings of Frick, Otsubo and Hirano are all located as part of the document feed path opening of the printer. Thus claim 11 is not anticipated by the prior art.

Claims 14, 18 and 20 include these limitations as well and thus are not anticipated by the prior art.

Claims 3-7, 9, 11-13, 15, 17 and 19 were rejected under 35 U.S.C. 103 as being unpatentable over each of the patents to Frick Hirano and Otsubo. The Office Action stated that:

Each of the patents to Frick, Otsubo and Hirano teaches a protective device having structure which renders obvious the structure as broadly claimed. See the explanation of Frick, Otsubo and Hirano. With respect to claims 3 and 4, the protective device 7 of Frick appears to be an integral part of the printer and secured by means 6 to the cover or housing 5. With respect to claims 9 and 19, the selection of a desired material which can be dishwasher involves only an obvious matter of design choice based upon obvious experimentation. Thus, Frick, Otsubo and Hirano render obvious the protective device structure as broadly recited by the claims.

Dependent claim 3 further limits claim 1 by adding a limitation that the protective device is integrally formed as part of the dispensing device. The devices of Frick and Otsubo are separate structures from the printer on which they are used. Regardless, claim 3 includes the limitations of claim which are not disclosed or taught by the prior art. The prior art devices were intended to provide only sound-proofing, not to protect the document feed path and/or the printers from environmental contamination. There is no teaching of providing these critical limitations to the devices of the prior art.

Dependent claim 4 further limits claim 1 by adding a limitation that the protective device secured to a portion of the dispensing device. Regardless, claim 4 includes the limitations of claim 1 which are not disclosed or taught by the prior art. The prior art devices were intended to provide only sound-proofing, not to protect the document feed path and/or the printers from environmental contamination. There is no teaching of providing these critical limitations to the devices of the prior art.

Claim 5, as amended, includes a hood which forms an enclosure over the document feed path opening of the printer to protect the document feed path opening and which includes an opening into the access opening. This limitation further limits claim 1 and is not disclosed, suggested or taught by the prior art. The prior art was not concerned with providing environmental protection to the printers discussed therein.. Regardless, claim 5 includes the limitations of claim 1 which are not

disclosed or taught by the prior art. The prior art devices were intended to provide only sound-proofing, not to protect the document feed path and/or the printers from environmental contamination. There is no teaching of providing these critical limitations to the devices of the prior art.

Claim 6 discloses an angled top portion on the hood to guide the documents. This limitation is not disclosed, suggested or taught by the prior art. Thus claim 6 is allowable over the prior art for this reason and for the reasons discussed above.

Claim 7 further discloses a groove extending into the top portion of the hood to guide the dispensed document. This limitation is not disclosed, suggested or taught by the prior art. Thus claim 7 is allowable over the prior art for this reason and for the reasons discussed above.

Claim 9 depends from claim 1 and is considered to be allowable over the prior art for the reasons stated above.

Claim 11, as discussed above, includes limitations not disclosed, suggested or taught by the prior art, either taken singly or in combination. Thus, claim 11 is allowable over the prior art.

Claims 12 and 13 depend from claim 11 and include those limitations which are not disclosed or taught by the prior art. The prior art devices were intended to provide only sound-proofing, not to protect the document feed path and/or the printers from environmental contamination. There is no teaching of providing these critical limitations to the devices of the prior art. Thus claims 12 and 13 are allowable over the prior art.

Claim 15 depends from claim 11 as well as adding an additional limitation of including guiding means on said enclosure for the documents produced by the dispensing device. This limitation is not found in the prior art. The prior art devices were intended to provide only sound-proofing, not to protect the document feed path and/or the printers from environmental contamination. There is no teaching of providing these critical limitations to the devices of the prior art. Thus claim 15 is allowable over the prior art.

It is noted that claim 16 was not rejected in the Office Action. Assuming this was a typographical error in order to advance prosecution of the application, the further limitation of claim 16 is not found in the prior art. None of the prior art devices included an angled top portion on a protective enclosure to guide documents. This limitation as well as the limitations of claim 11 are not disclosed or taught by the prior art. The prior art devices were intended to provide only sound-proofing, not to protect the document feed path and/or the printers from environmental contamination. There is no teaching of providing these critical limitations to the devices of the prior art. Thus claim 16 is allowable over the prior art.

Claim 17 includes not only the limitations of claim 11 but also includes at least one groove extending downward in a top panel of the protective enclosure. This feature is not found in any of the prior art. Thus claim 17 is allowable over the prior art.

Claim 19 includes the limitations of claim 11 and is thus allowable over the prior art.

The Applicant hereby respectfully requests the Examiner to reconsider the outstanding rejection in view of the above amendment and request for reconsideration. The Examiner is respectfully requested to indicate early allowance of claims 1 – 20. If any further discussion would advance the prosecution of this application, the Examiner is respectfully requested to contact the undersigned.

If any further information or action is necessary, please contact the undersigned.

Respectfully submitted,

Date: 12/31/1999

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Signed